IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPEAL NO. 6 OF 2005

DINESH PALYEKAR,CENTRAL JAIL AGUADA,SINQUERIM GOA. ....Appellant

Versus

STATE OF GOA AS REP.BY OFFICER-IN-CHARGE,PANAJI ....Respondent

Mr. Lalit Chari, Senior Advocate with Mr. J. P. D' Souza, Advocate for the Appellant.

Ms. Winnie Coutinho, Public Prosecutor for the State/Respondent.

Coram:- N. A. BRITTO, J.

Date:- 31st August, 2006

P.C.

The appeal is therefore allowed. The Judgment dated 23.02.05 and 02.03.2005 of the learned Special Judge, N.D.P.S. Court, Mapusa, is hereby set aside and, consequently, the accused is acquitted under Section 20(b)(ii)(B) of the Act. The accused shall be released forthwith in case he is not required in any other case. The seized article shall be disposed of as ordered by the learned Special Judge, Mapusa, in her Order dated 02.03.2005.

N. A. BRITTO, J.

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